IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

TUESDAY, THE 13TH NOVEMBER 2007 / 22ND KARTHIKA 1929

WP(C).No. 33275 of 2007(J)

PETITIONER:

SIYAD,
OWNER OF LORRY BEARING REG. NO.KL-2N 5738,
SAJITHA MANZIL, MUZHANGODI,
THODIYOOR VILLAGE, KARUNAGAPPALLY.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS:

1. DISTRICT COLLECTOR,
   KOLLAM DISTRICT, KOLLAM.

2. TAHSILDAR, KARUNAGAPPALLY.

3. GEOLOGIST,
   OFFICE OF THE MINING AND GEOLOGY, KOLLAM.

4. SUB INSPECTOR OF POLICE,
   KARUNAGAPPALLY POLICE STATION, KARUNAGAPPALLY.

BY GOVT. PLEADER, SRI.I.V. PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 13/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

ANTONY DOMINIC, J.

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W.P.(C) No. 33275 OF 2007 J
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Dated this the 13th November, 2007

J U D G M E N T

Ext. p2 is an order passed by the 1st respondent purported to be under Rule 27 of the Protection of River Banks and Regulation of Removal of Sand Act and Rules, 2001. In fact, the petitioner had approached this Court on an earlier occasion by filing W.P.(C) No. 28660 of 2007 which was disposed of by Ext. P1 judgment directing completion of the proceedings in terms of Rule 27. It was accordingly that Ext. P2 order has been passed.

2. Ext.P2 is a printed format where certain entries have been made by hand. There is absolutely no consideration of any of the contentions raised by the petitioner and it is purely mechanical. In view of this, Ext.P2 deserves to be quashed and I do so.

3. The 1st respondent shall reconsider the matter with notice to the petitioner and pass orders thereon as expeditiously as possible, at any rate within 10

days of receipt of a copy of this judgment. In the meantime, if the petitioner so desires, he may apply to the 1st respondent for release of the vehicle on furnishing bank guarantee for the amount directed to be paid in terms of Ext. P2.

ANTONY DOMINIC
JUDGE

jan/-